IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMERICAN WESTERN :

HOME INSURANCE COMPANY, : CIVIL ACTION

Plaintiff,

:

:

V.

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DONNELLY DISTRIBUTION, INC., : No. 14-797

Defendant.

ORDER

AND NOW, this 6th day of February, 2015, upon consideration of American Western Home Insurance Company's Motion for Judgment on the Pleadings, or in the Alternative, Motion for Summary Judgment, and Defendant's response thereto, and Donnelly Distribution, Inc.'s Motion for Summary Judgment, and Plaintiff's response thereto, and for the reasons provided in this Court's Memorandum dated February 6, 2015, it is hereby **ORDERED** that:

- 1. Plaintiff's motion (Document No. 12) is **GRANTED**.
- 2. Defendant's motion (Document No. 13) is **DENIED**.
- Judgment is entered in favor of American Western Home Insurance Company and against Donnelly Distribution, Inc.
- 4. American Western Distribution is entitled to reimbursement of the \$125,000 that it paid on behalf of Donnelly to settle the Swanlund litigation.
- 5. The Clerk of Court is directed to close this case.

BY THE COURT;

Berle M. Schiller, J.